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STANDARD

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:20-cv-04570-RBS**

McNamara v. CITY OF PHILADELPHIA et al
Assigned to: HONORABLE R. BARCLAY SURRICK
Referred to: MAGISTRATE JUDGE MARILYN HEFFLEY
(Settlement)
Cause: 42:1983 Civil Rights Act

Date Filed: 09/18/2020
Jury Demand: Both
Nature of Suit: 550 Prisoner Petitions: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Eileen McNamara
*as Administrator of the Estate of Jonathan
Gleaves, Jr.*

represented by **JONATHAN H. FEINBERG**
KAIRYS RUDOVSKY MESSING
FEINBERG & LIN LLP
THE CAST IRON BLDG STE 501 SOUTH
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Email: jfeinberg@krlawphila.com
ATTORNEY TO BE NOTICED

V.

Defendant**CITY OF PHILADELPHIA**

represented by **ANNE B. TAYLOR**
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1515 ARCH ST 14TH FL
PHILADELPHIA, PA 19102
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Defendant**CORIZON HEALTH**

represented by **THOMAS J. GREGORY**
O'CONNOR KIMBALL LLP
 TWO PENN CENTER - STE. 1100
 1500 JOHN F KENNEDY BLVD
 PHILADELPHIA, PA 19102
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Gerald Slory**

represented by **ANNE B. TAYLOR**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katelyn Lori Mays
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant**ELIZABETH BRADLEY**

represented by **THOMAS J. GREGORY**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Lalitha Trivikram**

represented by **THOMAS J. GREGORY**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Matu Gaye**




represented by **THOMAS J. GREGORY**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**JOHN DOE(S)**

Date Filed	#	Docket Text
09/18/2020	1 R	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0313-14574559.), filed by Eileen McNamara. (Attachments: # 1 Civil Cover Sheet, # 2 Case Management Track Form, # 3 Designation Form)(FEINBERG, JONATHAN) (Entered: 09/18/2020)
09/18/2020		Summons Issued as to ELIZABETH BRADLEY, CITY OF PHILADELPHIA, CORIZON HEALTH, Matu Gaye, Gerald Slory, Lalitha Trivikram. E-MAILED To:

		COUNSEL on 9/18/2020 (bw,) (Entered: 09/18/2020)
09/18/2020		DEMAND for Trial by Jury by Eileen McNamara. (JL) (Entered: 09/18/2020)
10/09/2020	2	WAIVER OF SERVICE Returned Executed by Eileen McNamara. CITY OF PHILADELPHIA waiver sent on 10/7/2020, answer due 12/7/2020; Gerald Slory waiver sent on 10/7/2020, answer due 12/7/2020. (FEINBERG, JONATHAN) (Entered: 10/09/2020)
10/26/2020	3	NOTICE of Appearance by THOMAS J. GREGORY on behalf of CORIZON HEALTH with Certificate of Service(GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	4	NOTICE of Appearance by THOMAS J. GREGORY on behalf of ELIZABETH BRADLEY with Certificate of Service(GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	5	NOTICE of Appearance by THOMAS J. GREGORY on behalf of Matu Gaye with Certificate of Service(GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	6	NOTICE of Appearance by THOMAS J. GREGORY on behalf of Lalitha Trivikram with Certificate of Service(GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	7	WAIVER OF SERVICE Returned Executed by ELIZABETH BRADLEY. ELIZABETH BRADLEY waiver sent on 10/1/2020, answer due 11/30/2020. (GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	8	WAIVER OF SERVICE Returned Executed by CORIZON HEALTH. CORIZON HEALTH waiver sent on 10/1/2020, answer due 11/30/2020. (GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	9	WAIVER OF SERVICE Returned Executed by Matu Gaye. Matu Gaye waiver sent on 10/1/2020, answer due 11/30/2020. (GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	10	WAIVER OF SERVICE Returned Executed by Lalitha Trivikram. Lalitha Trivikram waiver sent on 10/1/2020, answer due 11/30/2020. (GREGORY, THOMAS) (Entered: 10/26/2020)
10/26/2020	11	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by CORIZON HEALTH.(GREGORY, THOMAS) (Entered: 10/26/2020)
11/30/2020	12	ANSWER to Complaint <i>with Certificate of Service</i> by CITY OF PHILADELPHIA, Gerald Slory.(TAYLOR, ANNE) (Entered: 11/30/2020)
12/02/2020	13	ANSWER to Complaint by ELIZABETH BRADLEY, CORIZON HEALTH, Matu Gaye, Lalitha Trivikram.(GREGORY, THOMAS) (Entered: 12/02/2020)
12/03/2020	14	ORDER THAT AN INITIAL PRETRIAL CONFERENCE WILL BE HELD ON 12/14/2020, AT 2:00 PM, VIA TELEPHONE, BEFORE HONORABLE R. BARCLAY SURRICK, ETC. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 12/3/20. 12/3/20 ENTERED AND COPIES E-MAILED.(amas,) (Entered: 12/03/2020)
12/09/2020	15	Discovery Plan by Eileen McNamara.(FEINBERG, JONATHAN) (Entered: 12/09/2020)
12/15/2020	16	Minute Entry for proceedings held before HONORABLE R. BARCLAY SURRICK. Re: An Initial Pretrial Telephone Conference was held on 12/14/20. (fdc) (Entered: 12/15/2020)
12/15/2020	17	SCHEDULING ORDER.ORDER THAT A SETTLEMENT CONFERENCE WITH MAGISTRATE JUDGE LYNNE A. SITARSKI WILL BE SCHEDULED AT THE REQUEST OF COUNSEL. A FINAL PRETRIAL CONFERENCE SET FOR 1/6/22 AT 11:00 AM IN CHAMBERS BEFORE HONORABLE R. BARCLAY SURRICK.

		DISCOVERY DUE BY 7/30/21. DISPOSITIVE MOTIONS DUE BY 9/30/21. MOTIONS IN LIMINE DUE BY 12/9/21. TRIAL DATE SET FOR 1/10/22 AT 9:30 AM IN COURTROOM 8-A BEFORE HONORABLE R. BARCLAY SURRICK. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 12/15/20. 12/15/20 ENTERED & E-MAILED.(fdc) (Entered: 12/15/2020)
05/28/2021	18	Consent MOTION for Extension of Time to Complete Discovery filed by Eileen McNamara..(FEINBERG, JONATHAN) (Entered: 05/28/2021)
06/01/2021	19	AMENDED SCHEDULING ORDER THAT A SETTLEMENT CONFERENCE WITH MAGISTRATE JUDGE LYNNE A. SITARSKI WILL BE SCHEDULED AT THE REQUEST OF COUNSEL. ALL FACT AND EXPERT DISCOVERY SHALL BE COMPLETED BY 10/29/21. MOTIONS IN LIMINE ARE DUE BY 3/3/22. DISPOSITIVE MOTIONS ARE DUE BY 12/30/21. A FINAL PRETRIAL CONFERENCE IS SCHEDULED FOR 4/7/22 AT 11:00 A.M.. TRIAL IS SCHEDULED FOR 4/11/22 AT 9:30 A.M.; ETC.. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 6/1/21. 6/1/21 ENTERED AND E-MAILED.(JL) (Entered: 06/01/2021)
08/31/2021	20	Second MOTION for Extension of Time to Complete Discovery filed by Eileen McNamara..(FEINBERG, JONATHAN) (Entered: 08/31/2021)
09/02/2021	21	SECOND AMENDED SCHEDULING ORDER. ORDER THAT A SETTLEMENT CONFERENCE WITH MAGISTRATE JUDGE LYNNE A. SITARSKI WILL BE SCHEDULED AT THE REQUEST OF COUNSEL. A FINAL PRETRIAL CONFERENCE IS SET FOR 8/11/22 AT 3:00 PM IN JUDGE'S CHAMBERS BEFORE HONORABLE R. BARCLAY SURRICK. DISCOVERY DUE BY 1/28/22. MOTIONS DUE BY 3/20/22. MOTION IN LIMINE DUE BY 6/9/22. TRIAL DATE SET FOR 8/15/22 09:30 AM IN COURTROOM 8A BEFORE HONORABLE R. BARCLAY SURRICK. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 9/2/21. 9/2/21 ENTERED & E-MAILED.(fdc) (Entered: 09/02/2021)
12/01/2021	22	Joint MOTION for Extension of Time to Complete Discovery filed by Eileen McNamara..(FEINBERG, JONATHAN) (Entered: 12/01/2021)
12/02/2021	23	THIRD AMENDED SCHEDULING ORDER. ORDER THAT A FINAL PRETRIAL CONFERENCE IS SET FOR 11/10/22 AT 11:00 AM IN JUDGE'S CHAMBERS BEFORE HONORABLE R. BARCLAY SURRICK. ALL FACT AND EXPERT DISCOVERY DUE BY 4/29/22. DISPOSITIVE MOTIONS ARE DUE BY 7/1/22. MOTIONS IN LIMINE ARE DUE BY 10/6/22. TRIAL DATE SET FOR 11/14/22 AT 9:30 AM IN COURTROOM 8A BEFORE HONORABLE R. BARCLAY SURRICK. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 12/2/21. 12/2/21 ENTERED & E-MAILED.(fdc) (Entered: 12/02/2021)
03/01/2022	24	Joint MOTION for Extension of Time to Complete Discovery filed by Eileen McNamara..(FEINBERG, JONATHAN) (Entered: 03/01/2022)
04/08/2022	25	ORDER THAT UPON CONSIDERATION OF THE LETTERS THAT PLAINTIFF AND DEFENDANT CORIZON HEALTH HAVE SUBMITTED TO CHAMBERS VIA EMAIL REGARDING A DISCOVERY DISPUTE, IT IS ORDERED THAT, WITHIN TWENTY-ONE (21) DAYS OF THE DATE OF THIS ORDER, PLAINTIFF AND DEFENDANT CORIZON HEALTH SHALL SUBMIT BRIEFS ON THE OUTSTANDING DISCOVERY DISPUTE, ETC. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 4/8/22. 4/8/22 ENTERED AND COPIES E-MAILED.(ti) (Entered: 04/08/2022)

04/08/2022	26	FOURTH AMENDED SCHEDULING ORDER THAT A SETTLEMENT CONFERENCE WITH MAGISTRATE JUDGE MARILYN HEFFLEY WILL BE SCHEDULED AT THE REQUEST OF COUNSEL. ALL FACT AND EXPERT DISCOVERY SHALL BE COMPLETED NO LATER THAN 6/28/2022. DISPOSITIVE MOTIONS SHALL BE FILED NO LATER THAN 8/30/2022. MOTIONS IN LIMINE SHALL BE FILED NO LATER THAN 12/5/2022. A FINAL PRETRIAL CONFERENCE IS SCHEDULED 1/12/2023, AT 12:00 PM IN CHAMBERS. TRIAL IS SCHEDULED FOR 1/16/2023, AT 9:30 AM IN COURTROOM 8-A, ETC. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 4/8/22. 4/8/22 ENTERED AND COPIES E-MAILED.(ti) (Entered: 04/08/2022)
04/28/2022	27	Memorandum of Law <i>in Opposition to Plaintiff's Motion to Compel Production of Mortality Review</i> by ELIZABETH BRADLEY, CORIZON HEALTH, Matu Gaye, Lalitha Trivikram. (Attachments: # 1 Certificate of Service) (GREGORY, THOMAS) (Entered: 04/28/2022)
04/29/2022	28	Memorandum of Law in Support of Request to Produce Mortality Review Documents by Eileen McNamara. (Attachments: # 1 Exhibit A, B, C, D) (FEINBERG, JONATHAN) (Entered: 04/29/2022)
04/29/2022	29	Consent MOTION for Extension of Time to Complete Discovery filed by Eileen McNamara..(FEINBERG, JONATHAN) (Entered: 04/29/2022)
05/03/2022	30	ORDER THAT FIFTH MOTION TO EXTEND DISCOVERY DEADLINES IS GRANTED, AND ALL DEADLINES SET FORTH IN THE COURT'S FOURTH AMENDED SCHEDULING ORDER OF 4/8/22 SHALL BE EXTENDED BY 90 DAYS; ETC.. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 5/3/22. 5/3/22 ENTERED AND E-MAILED.(JL) (Entered: 05/03/2022)
05/03/2022	31	FIFTH SCHEDULING ORDER THAT A SETTLEMENT CONFERENCE WITH MAGISTRATE JUDGE HEFFLEY WILL BE SCHEDULED AT THE REQUEST OF COUNSEL. ALL FACT AND EXPERT DISCOVERY SHALL BE COMPLETED BY 9/26/22. DISPOSITIVE MOTIONS ARE DUE BY 11/28/22. MOTIONS IN LIMINE ARE DUE BY 3/5/23. A FINAL PRETRIAL CONFERENCE IS SCHEDULED FOR 4/13/23 AT 12:00 P.M. IN CHAMBERS. TRIAL IS SCHEDULED FOR 4/17/23 AT 9:30 A.M. IN COURTROOM 8-A; ETC.. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 5/3/22. 5/3/22 ENTERED AND E-MAILED.(JL) (Entered: 05/03/2022)
06/14/2022	32 	NOTICE of Appearance by Katelyn Lori Mays on behalf of CITY OF PHILADELPHIA, Gerald Slory with Certificate of Service(Mays, Katelyn) (Entered: 06/14/2022)
06/30/2022	33 	MEMORANDUM; ETC.. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 6/30/22. 6/30/22 ENTERED AND E-MAILED.(JL) (Entered: 06/30/2022)
06/30/2022	34 	ORDER THAT PLAINTIFF EILEEN MCNAMERA'S MEMORANDUM OF LAW IN SUPPORT OF REQUEST TO PRODUCE MORTALITY REVIEW DOCUMENTS IS GRANTED; ETC.. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 6/30/22. 6/30/22 ENTERED AND E-MAILED.(JL) (Entered: 06/30/2022)
08/31/2022	35	Sixth MOTION for Extension of Time to Complete Discovery (<i>Joint</i>) filed by Eileen McNamara..(FEINBERG, JONATHAN) (Entered: 08/31/2022)
09/13/2022	36	SIXTH AMENDED SCHEDULING ORDER THAT THE PARTIES SIXTH JOINT MOTION FOR EXTENSION OF TIME TO COMPLETE DISCOVERY IS GRANTED. ALL FACT AND EXPERT DISCOVERY SHALL BE COMPLETED NO LATER THAN 12/27/22. DISPOSITIVE MOTIONS SHALL BE FILED BY 1/31/23. MOTIONS IN LIMINE ARE DUE BY 5/15/23. A FINAL PRETRIAL CONFERENCE

		IS SCHEDULED FOR 6/8/23 AT 12:00 P.M.. TRIAL IS SCHEDULED FOR 6/12/23 AT 9:30 A.M. IN COURTROOM 8-A; ETC.. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 9/13/22. 9/13/22 ENTERED AND E-MAILED.(JL) (Entered: 09/13/2022)
01/31/2023	37	MOTION to Seal <i>Exhibits in Support of Motion for Summary Judgment</i> filed by CITY OF PHILADELPHIA, Gerald Slory.Memorandum, Certificate of Service.(Mays, Katelyn) (Entered: 01/31/2023)
01/31/2023	38	MOTION for Summary Judgment filed by CITY OF PHILADELPHIA, Gerald Slory.Memorandum, Certificate of Service. (Attachments: # 1 Appendix Statement of Facts, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N, # 16 Exhibit O, # 17 Exhibit P, # 18 Exhibit Q, # 19 Exhibit R)(Mays, Katelyn) (Entered: 01/31/2023)
01/31/2023	39	EXHIBITS by CITY OF PHILADELPHIA, Gerald Slory.. (FILED UNDER SEAL) (lvj) (Additional attachment(s) added on 2/1/2023: # 1 Exhibit SEALED EXHIBIT, # 2 Exhibit SEALED EXHIBIT, # 3 Exhibit SEALED EXHIBIT, # 4 Exhibit SEALED EXHIBIT, # 5 Exhibit SEALED EXHIBIT, # 6 Exhibit SEALED EXHIBIT, # 7 Exhibit SEALED EXHIBIT) (lvj). (Entered: 02/01/2023)
02/01/2023	40	ORDER THAT DEFENDANTS UNOPPOSED MOTION TO FILE UNDER SEAL IS GRANTED TO PRESERVE THE CONFIDENTIALITY OF SENSITIVE MEDICAL INFORMATION OF PLAINTIFF; ETC.. SIGNED BY HONORABLE R. BARCLAY SURRICK ON 2/1/23.2/2/23 ENTERED AND E-MAILED.(JL) (Entered: 02/02/2023)
02/16/2023	41	SUGGESTION OF BANKRUPTCY by ELIZABETH BRADLEY, CORIZON HEALTH, Matu Gaye, Lalitha Trivikram under Chapter Number 11 of the Bankruptcy Code in the Bankruptcy Court for the District of Texas filed under case number 23-90086 . (GREGORY, THOMAS) (Entered: 02/16/2023)
02/28/2023	42	RESPONSE in Opposition re 38 MOTION for Summary Judgment filed by Eileen McNamara. (Attachments: # 1 Text of Proposed Order, # 2 Plaintiffs Statement of Facts in Support of Opposition to Defendant Slorys Motion for Summary Judgment, # 3 Plaintiffs Response to Defendant Slorys Statement of Facts in Support of Motion for Summary Judgment, # 4 Exhibit 1 - Trivikram Deposition, # 5 Exhibit 2 - McCall Report)(FEINBERG, JONATHAN) (Entered: 02/28/2023)

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